

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JUSTIN PULLIAM §
§
§
V. § CIVIL ACTION NO.: 4:22-CV-4210
§
§
FORT BEND COUNTY, TX, ET. AL. §

DEFENDANTS' OPPOSED MOTION FOR CONTINUANCE

To the Honorable Court:

Fort Bend County, Texas, Sheriff Eric Fagan, Officer Robert Hartfield, and Officer Taylor Rollins (collectively, "Defendants") file this motion requesting that the April 14, 2025 trial setting be re-set for sometime in the summer of 2025 given the medical condition of the Defendants' lead counsel, Mr. Kevin T. Hedges, respectfully showing as follows:

I.

On December 2, 2024, this Court issued notice scheduling this case for trial on April 14, 2025.¹ However, recent events have rendered Defendants unable to adequately prepare for trial necessitating a continuance.

II.

On March 10, 2025, Defendants' lead counsel was diagnosed with pneumonia. After his symptoms worsened, he returned to the doctor on March 14, 2025 and was diagnosed with ventricular arrhythmia. On March 19, 2025, Mr. Hedges experienced a medical emergency, which he believed to be a heart attack, that required a visit to the emergency room. The emergency room doctors however were unable to diagnosis what caused Mr. Hedges' symptoms. Mr. Hedges has

¹ Notice of Hearing (ECF No. 85 filed on Dec. 5, 2024).

an appointment with a cardiologist on March 24, 2025. Nevertheless, Mr. Hedges remains short of breath, weak, and unable to work for more than two or three hours a day — mostly from home.

III.

Given the uncertainty of Mr. Hedges medical condition, Mr. Rolf F. Krueger has appeared as additional counsel for Defendants. Currently however, with less than 30-days, Mr. Krueger cannot adequately prepare for trial. Moreover, Mr. Hedges is the only board-certified trial attorney working in the Fort Bend County Attorney's Office — with over 38-years of experience. This makes him uniquely qualified to handle a case of this magnitude — and Defendants preferred counsel.

IV.

Wherefore, Defendants respectfully request that the Court grant their Motion for Continuance and reschedule the April 14, 2025 trial setting be re-set for sometime in the summer of 2025.

Respectfully submitted,

Bridgette Smith-Lawson
Fort Bend County Attorney

By: /s/ Kevin T. Hedges*

Kevin T. Hedges
Attorney-in-Charge
State Bar No. 09370100
Federal ID No. 9939
kevin.hedges@fortbendcountytexas.gov
Rolf F. Krueger
State Bar No. 24080990
Federal ID No. 3041756
rolf.krueger@fortbendcountytexas.gov
Fort Bend County Attorney's Office
401 Jackson Street, 3rd Floor
Richmond, Texas 77469
(281) 341-4555
(281) 341-4557 (Fax)

ATTORNEYS FOR DEFENDANTS
FORT BEND COUNTY, TEXAS, SHERIFF
ERIC FAGAN, OFFICER ROBERT
HARTFIELD, AND OFFICER TAYLOR
ROLLINS

* Signature added by Rolf F. Krueger with
permission

CERTIFICATE OF CONFERENCE

I hereby certify that, before the filing of this motion, I notified the opposing party on the 18th and 20th day of March, 2025 via electronic communication of the issues asserted in the motion and the relief sought. Counsel for Plaintiff indicated that she was opposed to the relief sought herein.

/s/ Kevin T. Hedges*
Kevin T. Hedges

* Signature added by Rolf F. Krueger with
permission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served on the parties and counsel identified on the attached service list by electronic service on this the 20th day of March, 2025.

/s/ Rolf F. Krueger
Rolf F. Krueger

SERVICE LIST

Christen M. Hebert
Jeffrey T. Rowes
Michael Pena
Institute for Justice
816 Congress Avenue, Suite 970
Austin, Texas 78701
chebert@ij.org
jrowes@ij.org
mpena@ij.org